

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GERALD S. LEPRE, JR.,	)	
	)	
Petitioner,	)	Civil Action No. 16-1169
	)	
v.	)	Judge Cathy Bissoon
	)	Magistrate Judge Robert C. Mitchell
COMMONWEALTH OF	)	
PENNSYLVANIA, and	)	
THE ATTORNEY GENERAL OF THE	}	
STATE OF PENNSYLVANIA,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

This case has been referred to United States Magistrate Judge Robert C. Mitchell for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On August 10, 2018, the Magistrate Judge issued a Report (Doc. 40) recommending that Gerald S. Lepre, Jr.'s petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. 1) be dismissed, and that a certificate of appealability be denied. Service of the Report and Recommendation was made, and Petitioner filed Objections on August 10 and August 12, 2018. *See* Docs. 41 and 42.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, it hereby is **ORDERED** that Gerald S. Lepre, Jr.'s habeas petition is **DISMISSED**; a certificate of appealability is **DENIED**; and the Report and Recommendation is **ADOPTED** as the Opinion of the District Court.

IT IS SO ORDERED.

October 18, 2018

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via First-Class U.S. Mail  
and Electronic Filing):

Gerald S. Lepre, Jr.  
130 Clara Street  
Millvale, PA 15209